

FILED BY *AKB* D.C.

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UNITED STATES OF AMERICA

vs.

Charles Johnson, Jr.

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CR. NO.03-20446

THOMAS A. GOULD  
U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

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**ORDER HOLDING DEFENDANT FOR FINAL REVOCATION HEARING**

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On September 12, 2005, *Charles Johnson, Jr.* appeared before me on a charge of violation of the terms and conditions of his probation/supervised release in this matter. The defendant was advised of his rights under Rules 5 and 32.1(a)(1), Federal Rules of Criminal Procedure .

At this hearing, the defendant was released on bond and, therefore, a preliminary hearing on the violation was not required. See United States v. Sciuto, 531 F.2d 842, 846 (7th Cir. 1976) and United States v. Tucker, 524 F.2d 77, 78 (5th Cir. 1975), cert. denied, 424 U.S. 966, 96 S.Ct. 1462, 47 L.Ed.2d 733 (1976).

Accordingly, defendant, *Charles Johnson, Jr.* is held to a final revocation hearing before U.S. District Judge *Jon P. McCalla* and in accordance with the provisions of Rule 32.1(a)(2), Federal Rules of Criminal procedure.

IT IS SO ORDERED.

ENTERED this 12th day of September, 2005.

*Diane K. Vescovo*  
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Diane K. Vescovo  
UNITED STATES MAGISTRATE JUDGE

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## Notice of Distribution

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Honorable Jon McCalla  
US DISTRICT COURT